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Attorneys for Defendant
BRENDA M. O. CHUNG (02)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 02-00225DAE(02)
)	
Plaintiff,)	DEFENDANT CHUNG'S (02)
)	PROPOSED SUPPLEMENTAL
vs.)	JURY INSTRUCTIONS;
)	CERTIFICATE OF SERVICE
ANDY S. S. YIP, (01))	
BRENDA M. O. CHUNG, (02))	Trial: August 15, 2007
)	Judge: David Alan Ezra
Defendants.)	
)	
)	

DEFENDANT CHUNG'S (02) PROPOSED
SUPPLEMENTAL JURY INSTRUCTIONS

Defendant Brenda M. O. Chung (02), hereby respectfully requests pursuant to LR51.1 and CrimLR30.1, that in addition to the agreed upon instructions and the court's standard instructions, that the jury also be given the attached proposed supplemental instructions.

DATED: Honolulu, Hawaii, August 1, 2007.

/s/ Howard K. K. Luke
HOWARD K. K. LUKE
DAVID M. HAYAKAWA

Attorneys for Defendant
BRENDA M. O. CHUNG (02)

DEFENDANT CHUNG'S (02) PROPOSED
SUPPLEMENTAL JURY INSTRUCTION NO. 1

Statements by Defendant

You have heard testimony that Brenda Chung made certain statements. It is for you to decide (1) whether Brenda Chung made those statements, and (2) if so, how much weight to give to them. In making these decisions, you should consider all of the evidence about those statements, including the circumstances under which Brenda Chung may have made them.

Ninth Circuit Model Criminal Jury Instructions No. 4.1, as modified
See also, United States v. Hoac, 990 F.2d 1099, 1108 n.4 (9th Cir. 1993).

GIVEN _____
REFUSED _____
MODIFIED _____

DEFENDANT CHUNG'S (02) PROPOSED
SUPPLEMENTAL JURY INSTRUCTION NO. 2

Character of Defendant

You have heard evidence of the defendant's character for [*e.g.*, truthfulness, peacefulness, honesty, *etc.*]. In deciding this case, you should consider that evidence together with and in the same manner as all the other evidence in the case.

Ninth Circuit Model Criminal Jury Instructions No. 4.4
See Fed. R. Evid. 404(a)(1).

GIVEN _____
REFUSED _____
MODIFIED _____

DEFENDANT CHUNG'S (02) PROPOSED
SUPPLEMENTAL JURY INSTRUCTION NO. 3

Testimony of Witnesses Involving Special Circumstances – Benefits, Accomplice

You have heard testimony from Eriko Dmitrovsky, a witness who has stated that she was an accomplice or co-conspirator to the conspiracy charged in count I of the indictment.

An accomplice is one who voluntarily and intentionally joins with another person in committing a crime.

For these reasons, in evaluating Eriko Dmitrovsky's testimony, you should consider the extent to which or whether Eriko Dmitrovsky's testimony may have been influenced by these factors. In addition, you should examine Eriko Dmitrovsky's testimony with greater caution than that of other witnesses.

Ninth Circuit Model Criminal Jury Instructions No. 4.9 (revised 6/05), as modified. *See also, United States v. Tirouda*, 394 F.3d 683, 687-88 (9th Cir. 2005).

GIVEN _____
REFUSED _____
MODIFIED _____